

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

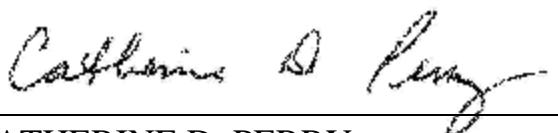
JAMES SPANN,)
)
Plaintiff,)
)
vs.) Case No. 4:05CV1470 CDP
)
CORRECTIONAL MEDICAL)
SERVICES, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before me on plaintiff's motions for entry of clerk's default and default judgment against defendant Bennett for failing to answer the complaint. Because I granted Bennett leave to file an answer to plaintiff's complaint, the motions will be denied.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for entry of clerk's default [#47] and motion for default judgment [#48] are denied.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 5th day of July, 2006.